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Representing the United States of America

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

JEREMIAH MATTHEW NUQUI,

Defendant.

Case No. 2:17-cr-00399-RFB-CWH

**SECOND STIPULATION AND
PROPOSED ORDER TO EXTEND
DEADLINES REGARDING
DEFENDANT'S MOTION
TO SUPPRESS**
[ECF 21]

It is hereby stipulated and agreed, by and between Dayle Elieson, United States Attorney, through Richard Anthony Lopez, Assistant United States Attorney, and Erin M. Gettel, Assistant Federal Public Defender, counsel for defendant Jeremiah Matthew Nuqui, that (1) the Government's deadline to respond to the defendant's Motion to Suppress, currently set for February 7, 2018, be extended to February 9, 2018; (2) the defendant's deadline to file any reply, currently set for February 14, 2018, be extended to February 16, 2018.

This stipulation is entered into for the following reasons:

1. The parties request an extension of the briefing schedule because counsel for the Government was out of the jurisdiction for training the week of

1 January 29, 2018, and requires additional time to address the multiple issues raised
2 by the Motion.

3 2. The additional time requested is not sought for purposes of delay, but
4 to allow the Government time to adequately respond to the defendant's Motion to
5 Suppress.

6 3. This is the second request for an extension of time regarding the
7 briefing schedule on defendant's Motion to Suppress.

8 4. Denial of this request for an extension could result in a miscarriage of
9 justice.

10 Dated this the 7th day of February, 2018.

11 Respectfully submitted,

12 DAYLE ELIESON
13 United States Attorney

14 /s/ Erin M. Gettel
15 ERIN M. GETTEL
16 Assistant Federal Public Defender
17 Counsel for Defendant
18 Jeremiah Matthew Nuqui

19 /s/ Richard Anthony Lopez
20 RICHARD ANTHONY LOPEZ
21 Assistant United States Attorneys
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1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 UNITED STATES OF AMERICA,

4 Plaintiff,

5 vs.

6 JEREMIAH MATTHEW NUQUI,

7 Defendant.

Case No. 2:17-cr-00399-RFB-CWH

8
9 **FINDINGS OF FACT**

10 Based on the pending Stipulation of counsel, and good cause appearing
11 therefore, the Court finds that:

12 1. The parties request an extension of the briefing schedule because
13 counsel for the Government was out of the jurisdiction for training the week of
14 January 29, 2018, and requires additional time to address the multiple issues raised
15 by the Motion.

16 2. The additional time requested is not sought for purposes of delay, but
17 to allow the Government time to adequately respond to the defendant's Motion to
18 Suppress.

19 3. This is the second request for an extension of time regarding the
20 briefing schedule on defendant's Motion to Suppress.

21 4. Denial of this request for an extension could result in a miscarriage of
22 justice.

1 **CONCLUSIONS OF LAW**

2 5. For all of the above-stated reasons, there exists good cause for, and the
3 ends of justice would be served best by, a continuance of the briefing deadlines.

4 **ORDER**

5 IT IS HEREBY ORDERED that the deadline for the Government's response
6 to the defendant's Motion to Suppress be extended to February 9, 2018; and

7 IT IS FURTHER ORDERED that the deadline for any reply by the defendant
8 be extended to February 16, 2018.

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 HONORABLE RICHARD F. BOULWARE
 UNITED STATES DISTRICT JUDGE

12 DATED this 8th day of February, 2018.
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Dated: February 7, 2018

/s/ Richard Anthony Lopez
RICHARD ANTHONY LOPEZ
Assistant United States Attorney